

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, D.C. 20268-0001

RECEIVED

In the Matter of:
Breaks Post Office
Breaks, Virginia

Docket No. A2011-88 2 P 1:46

POSTAL REGULATORY
COMMISSION
OFFICE OF THE SECRETARY

**PETITIONER COMMENTS ON
UNITED STATES POSTAL SERVICE
COMMENTS REGARDING APPEAL**
(December 2, 2011)

On November 17, 2011, the Postal Service submitted comments on petitions and participant statements from petitioners/postal customers in Breaks, Virginia. After thorough review of the Postal Service's comments, we (petitioner) do not find any new rationale or specific response to the concrete issues raised in the participant statements that supports the determination to discontinue the Breaks Post Office. In fact, our reasons for keeping the Post Office alive, as stated in the participant statements, remain as valid and accurate as before.

We are confident that the PRC will fulfill its authorized duty and make recommendations about Breaks Post Office *only after* reviewing the participant statements and attachments (filed in the administrative record) in detail and giving these the equal weight they deserve.

In addition, we must highlight, and counter several of the Postal Service's November 17th comments, as summarized below:

- **USPS Comments, p. 2** – Economic factors. The USPS indicates an annual savings of \$31,516 (\$44,279 salary and benefits for postmaster minus \$12,763 for rural delivery) upon closing the Breaks Post Office.
- **Petitioner response** - This extremely modest amount does *not* take into account the offsetting revenue generated by the retail Post Office. **In addition, the citizens are quite willing to pay for post office boxes, as they have in the past.** The majority of USPS's stated savings comes from the assumed \$44,279 salary and benefits cost for a full-time union employee.

In fact, the USPS has been operating the Breaks Post Office with a PMR and now an OIC at much lower cost. We suggest it continue to do so, as well as charge our willing customers for their postal boxes.

- **USPS comments, p. 3** – Following Proper Procedures. “The Postal Service complied with all notice requirements.”
- **Petitioner response: No, in fact, the Postal Service did not comply with all notice requirements.** The “Notice and Order of Filing of Appeal” and Procedural Schedule *was not and is not posted* at the Breaks Post Office. In addition, the “USPS Comments Regarding Appeal” are not posted at the Breaks Post Office. If not for the PRC web site (most petitioners do not have broadband internet), the petitioners would be unaware of the Procedural Schedule and the USPS comments—and therefore would have been unable to afford themselves of their rights under 39 U.S.C. § 404(d).
- **USPS comments, pp. 4,5** – Adequacy of alternative service. USPS repeats same comments from Final Determination--that Maxie Post Office will not present a hardship in driving distance and no hardship for senior and disabled customers in installing and maintaining mailboxes and meeting mail carriers.
- **Petitioner response:** Petitioners addressed the real hardships of increased distance to Maxie Post Office and mailbox/carrier service in detail in the town meeting and Participant Statements filed in October 2011 and in the administrative record. To reiterate, the Breaks Post Office is a lifeline for residents who receive medications and Social Security checks and who simply cannot travel eight miles to the Maxie, VA Post Office. It is THE accessible communication channel for many retired senior citizens with disabilities or health conditions that prevent them from erecting a mailbox and easily meeting a rural delivery postman to make transactions on the postal carrier’s schedule.

- **USPS comments, p. 5** – Effect on community identity. “The Petitioners’ submissions show that the identity of the Breaks community revolves far more significantly on the Breaks Interstate Park and on Breaks’s place on the Coal Heritage Trail than it does on the Breaks Post Office.”
- **Petitioner response:** Our point is this: The community identity is inextricably tied to the public facilities and infrastructure –*in this case, the Breaks Post Office*--that connect and serve the residents and its livelihood. The Breaks Interstate Park is an established tourist destination --while the Coal Heritage Trail and \$4.7 billion Coalfields Expressway are recently developed Appalachian investments intended to revitalize our area. Maintaining retail postal services is absolutely essential to attracting and serving traveler’s needs, generating commerce, and creating revenue.

The Petitioners respectfully submit that the facts outlined in our town meeting, participant statements, petitions, and comments support a determination to keep the Breaks Post Office in operation.

We strongly request that the PRC reverse the USPS determination to close the Breaks Post Office and recommend that the Breaks Post Office remain alive.

Sincerely,

James L. Childress,
Breaks resident,
on behalf of Breaks community